

F. No 14/8/2000-T

GOVERNMENT OF INDIA
भारत सरकार
MINISTRY OF HOME AFFAIRS
गृह मंत्रालय

T. BRANCH
टी शाखा

TOP SECRET

परम गुप्त

N. G. O.

कार्यालय के लिए वर्जित

File No. 14/8/2000-T
फाइल सं०

Notes/Correspondence
टिप्पणियां/पत्र-व्यवहार

SUBJECT
(विषय)

Note- 02

Cases. 02

(Please see inside)
(कृपया अन्दर देखिये)

Donningford
21/12/5
(प्रीति गुप्ता)
(PRADEEP GUPTA)
संयुक्त सचिव/Joint Secretary
गृह मंत्रालय
Ministry of Home Affairs
भारत सरकार/Gen. of India

Previous References
पिछले हवाले

Later References
बाद के हवाले

Keep

21/12/5

MINISTRY OF HOME AFFAIRS
('T'-BRANCH)

S U B J E C T

Rajya Sabha Notice for Oral Question Dy. No. 001198 dated 9.2.2000 regarding declassification of files relating to Netaji Subhash Chandra Bose, Azad Hind Government and INA etc.

(2-)

ft p1-2/cv

S.No 1 (R)

As directed, New file is being
opened. file submitted for further a/c please

H/3/19
8/3/2006

US (D-IV) Show paper in F-288

6/5/2000-T (1)

3/3/2000

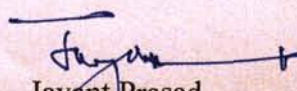
Top Secret

**Ministry of External Affairs
CNV Division**

Subject: Rajya Sabha Notice for Oral Question Dy.No.001198 dated 9.2.2000 regarding declassification of files relating to Netaji Subhash Chandra Bose, Azad Hind Government and INA etc.

Reference MHA U.O.13012/21/2000-IS(D.III) dated 17.2.2000 on the Question mentioned above. Material in respect of the question is as follows:

- (a) None of the files held in the custody of the Ministry of External Affairs relating to the alleged disappearance of Netaji Subhash Chandra Bose have been declassified. The most important of these files are currently held in the custody of the NGO Section of the Ministry of External Affairs. A listing of these files, including their number, the nature and subject of the files and their classification is attached for the information of the Ministry of Home Affairs (details may not be divulged at this stage).
 - (b) Attempts have been made at the official level to find out from the Russian Government whether there were documents pertaining to Netaji available with them. In response we were informed by the Russian Ministry of Foreign Affairs on January 8, 1992 that "according to the data in the Central and Republican Archives, no information whatsoever is available on the stay of former President of the Indian National Congress, Netaji Subhash Chandra Bose in the Soviet Union in 1945 and in subsequent years". Thereafter, on September 27, 1995, the Ministry of Foreign Affairs of the Russian Federation informed that "as a result of the investigations carried out at the Central Archival Collection of the Federal Security Service of Russia and the Russian Centre for Retention and Perusal of Documents on Modern History, no information whatsoever has come to light on the stay of Subhash Chandra Bose on the territory of the former USSR in 1945 and in subsequent years". The State Archive Service of the Russian Federation informed on August 4, 1997 that "the Centre for Preservation of Historical Documental Collection does not have any information on Subhash Chandra Bose".
2. Government of India has made several efforts, over the years, for retrieving any available information in the possession of other countries on the Netaji's alleged disappearance, but without any success.


Jayant Prasad
Joint Secretary (CNV)

Ministry of Home Affairs, (Shri M.S. Zuha, Desk Officer), New Delhi
MEA U.O. No.25/4/NGO-Vol.V dated March 1, 2000

Open a file
and keep us
clerk (D/2/52)
le 2/3/2000 sh. Prasad

TOP SECRET

DETAILS OF FILES ON NETAJI SUBHASH CHANDER BOSE

S.No.	File No.	Subject	Classification
1.	25/4/NGO -Vol. I	(i) Taking over of the properties of INA in Japan (ii) Safe Custody of the ashes	TOP SECRET
2	25/4/NGO -Vol. II (LW - KW)	(i) Safe custody of the ashes in the Rankoji Temple. (ii) Participation in the memorial service (iii) Establishment of an enquiry committee to enquire into the circumstances of the alleged death of Netaji.	TOP SECRET
3.	25/4/NGO -Vol. III (LW- Annx.)	Ashes of Late Netaji in Renkoji Temple INA treasure and a printed report of Khosla Commission prepared by Shah Nawaj.	TOP SECRET
4.	25/4/NGO -Vol. IV (LW KW-I)	Netaji Subhash Chandra Bose (i.e. Ashes and Treasure Box)	TOP SECRET
5.	25/4/NGO -Vol. V (LW - KW- I & II)	Netaji Subhash Chandra Bose (i.e. Ashes and Treasure Box)	TOP SECRET
6.	25/13/NGO - 52 (LW - KW)	Subhash Chandra Bose - (i) Resolution of the West Bengal Legislative Assembly urging an enquiry into the death of the Shri Subhash Chandra. (ii) Question in the House of the people on this subject.	TOP SECRET
7.	25/14/NGO- 52	Misc. correspondence perporting to throw light on the whereabouts of Netaji	TOP SECRET
8.	25/15/NGO- 52	Allegations about the misappropriation of INA property by Mr. Ramamurti, a former official of India Independence League of Tokyo	TOP SECRET
9.	25/16/NGO-53	Resolution passed by the West Bengal Legislation Assembly demanding Central Govt to set up a Committee both of official and non-official members to investigate into the whereabouts of the funds left by Netaji and his Azad Hind Government	TOP SECRET

SI No. 8

**SECRET
PRIORITY**

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

12/c

PMO may kindly refer to their letter No.G.12 (3)/ 98-NGO, dated 16th April, 1998 and 16th July, 1998 on the subject of a news item from the 'Hindustan Times' reporting that the Calcutta High Court has ruled that ashes should not be brought back until Netaji's death has been conclusively proved. Deptt. of Legal Affairs, Calcutta has forwarded a certified copy of the order dated 7.4.1998 (copy enclosed) wherein it has been stated that 'the Government of India shall obtain full particulars and evidence and satisfy itself about the genuineness of the claim that the ashes kept at the Renkoji Temple of Japan are that of Netaji Subhas Chandra Bose and take the people of India in confidence.

[Signature]
10.9.98
(A.K. Patanday)
Director (IS.I)

Shri P.P. Shukla, Joint Secretary to PM, PM's Office
MHA U.O.No.VI/11034/114/97-IS(D.III) Dated, the 10.9.98

IPS.
12/IX

Dir (S)

NGO

Submitted for further
directions w.r.to order of
Hl. Secy to Govt on p. 9/c.

385/TS/214(S)/98
16/9

15/9/98
Dir NGO

Dir (S)

JS(P)

P.S.
16/IX

15/9
17/1-

4732/TS(P)/14/98
10/5

PMO (ISO)
Dy. No. 1056
15-9-98

SI No. 7

SECRET
Immediate

Government of India
Ministry of Home Affairs

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PMO may kindly refer to their letter No.G.12(3)/98-NGO dated 16th July, 1998 on the subject of a news item from the 'Hindustan Times' reporting that the Calcutta High Court has ruled that ashes should not be brought back until Netaji's death has been conclusively proved. For necessary follow up we have been pursuing this matter with our Central Government Advocate in Calcutta (Smt. S.Bhattacharya). We have requested her for a copy of the judgement in Writ Petition No. 1805/97 in case Asim Kumar Ganguly Vs. Union of India. There has been no response from the Central Government Advocate so far. We have even written to Registrar, Calcutta High Court requesting him for a copy of the judgement. The last communication to our Central Government Advocate has been sent through IB bag. We have written to her again. As soon as a copy of the judgement is received, we will be able to report the factual position in detail to PMO.

24.8.98.
(A.K.Paitandy)
Director (IS.I)

Sh. P.P.Shukla, Joint Secretary to PM, PM's Office, N. Delhi
MHA U.O.NO.VI.11034/114/97-IS(D.III) Dated 24.8.98

25-

PPS
25/VII

PPS

NC/25/98

11035/15/98
31-08-98

4474/15(P)/M/98
25/8



D.O.No.I/12014/27/93-IS-D III

S.No.4 (R)

SECRET

गृह मंत्री
भारत

नई दिल्ली-११०००१

HOME MINISTER
INDIA

NEW DELHI-110001

Dear PV Narsimharaju,

Earlier this year, the question whether mortal remains of Netaji Shri Subhash Chandra Bose should be taken possession of in Tokyo and brought to India had acquired some urgency since the birth centenary year of Netaji is due in 1997. On this issue, my Ministry had taken a note to the Cabinet. The Cabinet, while deferring the subject in its meeting on 8.2.1995 decided that the Ministry of Home Affairs may examine the dependability of arrangements in Japan and draw up a contingency plan for the proper up-keep of the mortal remains and our Ambassador be specifically requested to look into these aspects. Alongside, it was decided that efforts be made for creation of a favourable public opinion, in case a decision is taken to bring back the ashes to India.

2. The Ministry of External Affairs examined the matter in consultation with Indian Ambassador in Tokyo and have given the following opinion/suggestions -

i) The ashes of Netaji seem to be housed in an adequate manner in the Rankoji Temple, Tokyo, Japan. However, according to the Japanese tradition, there is no security at the Temple against any deliberate attempt to create problems. It is perceived that any request for strengthening of security may not go down well as the Rankoji Temple where the ashes are kept, is a place open to all.

ii) The pressure for shifting of the ashes from Japan to India is mainly from the old associates of Netaji who are advancing in age and who feel a personal sense of responsibility for the ashes. Rev. Mochiziki, Priest Incharge of the temple has stated that he has absolutely no problem in continuing to look after the ashes and that he has no intention of doing anything without the full consultation and approval of the Government of India. It would thus appear that the overall situation is such that it does not warrant any precipitate action for moving the ashes. It may, however, be desirable if the contribution of Yen 6 lakh per annum donated by Government of India for the up-keep of the ashes is raised to Yen 1 Million.

iii) The Foreign office of Japan Government has on a number of occasions enquired whether in the light of the forthcoming 50th anniversary of Netaji's death and the centenary year in 1997, there is any proposal for shifting these ashes to

P. C. (NGO)

Dy. No. 545/5/95

Date 21-11-95

20-11

5407/21(5)6/41

20/11

Related Files are placed below

D.O.(S)

5-6/12

MHA
G-16(3)/95-RAW

PA

9/11

11/11/95

12/11

17/11

31.12.95

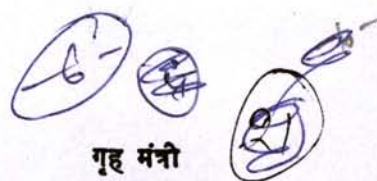
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गृह मंत्री
भारत
नई दिल्ली-११०००१
HOME MINISTER
INDIA
NEW DELHI-110001

India. The action of the Japanese Government has been more in nature of an enquiry than a suggestion. MEA feels that the Foreign office of Japan is unlikely to take any action in the matter without consulting the Government of India.

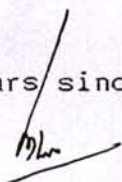
- iv) Regarding the contingency plan, MEA has suggested that in the event the ashes are to be removed from the temple but not shifted to India, the only location to house the ashes would be the Indian Mission in Tokyo, where it could be kept in a strong room. This would, however, amount to acceptance by the Government of India that the ashes are those of Netaji. For this reason, it has been suggested that status quo should be maintained till a consensus is worked out in India for bringing the ashes.

3. In the light of the above opinion/suggestions of the Ministry of External Affairs, and in absence of any perceptive pressure either in Japan or India, it is felt that there does not appear any immediate need for disturbing the status quo till such time we are able to create a favourable public opinion in the country to bring back the ashes of Netaji to India.

4. In view of the facts enumerated in paras 2 and 3 of this note, PM may kindly consider the maintenance of 'Status Quo' in the matter.

With regards,

Yours sincerely,


(S.B. CHAVAN)

Shri P.V. Narasimha Rao,
Prime Minister,
South Block,
NEW DELHI.

S No (2)

TOP SECRET
Copy No. 1/2

MINISTRY OF HOME AFFAIRS

Sub.: Controversy regarding Netaji's death and bringing his ashes to India from Japan.

Principal Secretary to Prime Minister may please refer to his UO No.870/11/P/10/93-Pol. dated the 13th October, 1993 and this Ministry's UO of even number dated 20th April, 1994 on the above subject.

2. The matter was placed before the Committee of Secretaries which discussed it in its meeting held on 20th July, 1994. After deliberations, it arrived at the following conclusions:

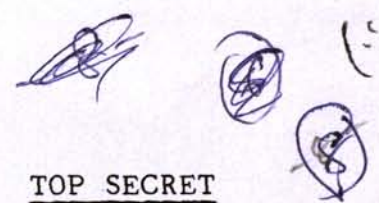
- (i) Since the Articles had not attracted any media attention so far, it was unlikely that such a contingency would arise in the future. Even in the unlikely event of these Articles appearing in the local media, its ripple effects were likely to be minimal since the basic thrust of the Articles did appear to project Netaji in a patriotic light as an opponent of fascism. However, some sensitivity did attach in this very suggestion of an association - presumably even if false - such as Netaji with MI-6. Prudence demanded, therefore, that GOI response on this issue should be minimal and as low key as possible. In fact, the issue is best left alone and if possible, allowed to be forgotten.

(ii) As regards the question of taking possession of the ashes was concerned, no particular advantage lay in taking a decision on this at this juncture since the birth centenary celebrations were due only in 1997. Therefore, a view could be taken in the matter in 1996-97 and till such time status quo should be maintained. The temple management may be persuaded to continue with the upkeep of the ashes and, if necessary, the maintenance charges being paid to the temple may be suitably increased to meet the increased cost.

- (iii) Since it was best that as little publicity as possible was given to the entire issue, it was felt that it may not be necessary to place this matter before the Cabinet. PM may be apprised

Contd..... 2/-


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-: 2 :-

accordingly and his directions obtained.

3. PM may kindly be apprised of this for his directions.


(K. PADMANABHAIAH)
Home Secretary

Shri A.N. Varma, Principal Secretary to PM

MHA UO No.I/12014/27/93-IS(D.III) dated 9th August, 1994.

TOP SECRET

September 27, 1993.

M. VENKATESWARA IYER

संयुक्त सचिव

JOINT SECRETARY

Phone: 3015785

D.O.No.5293/JS(A)/93

Dear Shri Vijay Kumar,

I enclose a copy of the judgement dated 4 March, 1987, delivered by Hon'ble Justice Mr. S.N. Bhargava of the High Court of Judicature, Rajasthan. As you will see, this judgement relates to the inquiry into the circumstances in which Netaji Subhash Chandra Bose died. The first inquiry in this matter was ordered by the Ministry of External Affairs who set up the Netaji Inquiry Committee under the chairmanship of Shah Nawaz Khan.

2. The aforesaid judgement has been relied upon in a writ petition filed in the Calcutta High Court by one Shri Bijan Ghosh and certain others who have joined him as added respondents.

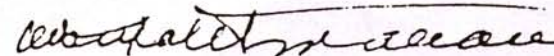
3. According to the judgement of the High Court of Rajasthan, the Ministry of External Affairs were required to look into the matter once again and examine all the available evidence including all the papers and other materials which the petitioner had claimed that he had at his disposal. The concluding part of the judgement may please be seen in this regard.

4. As we have to give para-wise comments in respect of the writ petition pending in the High Court at Calcutta, we are interested in knowing immediately what action was taken by the Ministry of External Affairs in pursuance of the judgement of the High Court, of Rajasthan.

5. We shall be grateful if you will consider the matter and send us a reply immediately. If you are not dealing with this matter, kindly pass it on to the concerned Joint Secretary with the request to send me a reply urgently. Also, kindly let me know who is the officer concerned so that I can be in touch with him.

With regards,

Yours sincerely,



(M. Venkateswara Iyer)

Shri Vijay Kumar,
Joint Secretary (Coord),
Ministry of External Affairs,
New Delhi.

by
S. No. 10/93
27.9.93

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH JAIPUR.

LEADER

Shri Nand Lal Sharma Vs. Chief Secretary, State of
Rajasthan and another.

C.O. CIVIL 1031 PETITION No. 902/1984

Under Article 226 and 51 of the Constitution
of India.

DATE OF FILING ::: JANUARY 18, 1986

PRESENT

HON'BLE MR. JUSTICE S.N. BHARGAVA

Shri Nand Lal Sharma, petitioner in person.

Shri H.L. Garg, Addl G.O.

Shri P.L. Gupta, standing Counsel for
Union of India.

BY THE COURT:

This writ petition filed by Shri Nand
Lal Sharma on a very important national issue asking
this court to order for starting an open judicial
enquiry on a national level to know about the
whereabouts of Rajaji Subhash Chandra Bose, a national
hero, and further to order to set him free, if he is
still confined as a war criminal in any country.
The petition was filed on 26.3.84. Along with the
writ petition, an application was also filed that
this case should be put up before a full bench for
admission. When the case came up before Hon'ble
the Chief Justice, he was pleased to order that the
case may be put up for admission before me. The
petitioner also filed an application giving the

summoned from the non petitioner No.2, Secretary, Ministry of External Affairs, Union of India and he also filed some additional documents on 27th August, 1984. Notices to show cause were issued to him why the writ petition should not be admitted and notices of the writ applications were also sent to the non-petitioners. On 15th March, 1985, Shri B.P. Gupta, Standing Counsel for the Union of India was called for and was directed to file a reply of the writ petition within one month. Time was again sought by Shri Gupta on 8.5.85 and the case was fixed for 8th July, 1985. Thereafter, it was adjourned for Bhopal and the case was not listed before any other bench inspite of applications for early hearing filed by the petitioner. The case came up before me on 10th October, 1985, till then, no reply was filed by either the State of Rajasthan or the Union of India. Shri B.P. Gupta, learned that Standing Counsel for the U.O.I. submitted that he has received no instructions, though he had intimated the Secretary, Ministry of External Affairs. The case was ordered to be put up on 4.11.85 and the non petitioner were permitted to file reply before that date. Again on 19.11.1985, Shri Gupta submitted that he has received no instructions till then, inspite of written communication. Learned Deputy Government Advocate submitted that he has received instructions not to condone the writ petition on behalf of the State of Rajasthan. The petitioner wanted time to